

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

ACO-008

No. 22-3034

Daniel D'Ambly, et al.,
Appellants

v.

Christian Exoo, et al.

(D.N.J. No. 2-20-cv-12880)

Present: HARDIMAN, MONTGOMERY-REEVES, and AMBRO, Circuit Judges

1. Clerk Order 11/03/2022;
2. Response from Appellees Twitter Inc and Vijaya Gadde;
3. Response from Appellee Christian Exoo;

Respectfully,
Clerk/amr

ORDER

The plaintiffs have appealed a September 30, 2022, order resolving some, but not all, of their claims. This appeal is hereby dismissed for lack of jurisdiction. The District Court's order is not final within the meaning of 28 U.S.C. § 1291. An order is final where it ends the litigation on the merits and leaves nothing for the court to do but execute the judgment. Catlin v. United States, 324 U.S. 229, 233 (1945). Here, the order on appeal left claims pending in the District Court, and the plaintiffs did not seek certification of the order pursuant to Federal Rule of Civil Procedure 54(b). See Morton Int'l, Inc. v. A.E. Staley Mfg. Co., 460 F.3d 470, 476 (3d Cir. 2006).

By the Court,

s/ Thomas M. Hardiman
Circuit Judge



Dated: October 23, 2023
Amr/cc: All counsel of record

A True Copy:

Patricia S. Dodszeit

Patricia S. Dodszeit, Clerk
Certified Order Issued in Lieu of Mandate